

SUMMARIES OF PUBLIC SANCTIONS

(September 1, 1999 through August 31, 2003)

The following are summaries of public sanctions, which were issued by the Commission during fiscal years 2000, 2001, 2002 and 2003. The public records for these cases are available for inspection at the Commission's offices located at 300 W. 15th Street, Suite 415, Austin, Texas.

The judge, whose court has jurisdiction over alcohol-related misdemeanor offenses, on his own behalf entered a plea of nolo contendere in Municipal Court to the charge of public intoxication. [Violation of Canon 2A of the Texas Code of Judicial Conduct] *Public Reprimand of Wallace Bowman, County Court at Law Judge (10/04/99)*

The judge conducted hearings on motions to enforce child support orders after acting as counsel of record in a prior proceeding in the same case. [Violation of Canon 2A of the Texas Code of Judicial Conduct] *Public Warning of Gilberto Rosas, Title IV-D Master (10/04/99)*

The judge appointed his son to represent litigants in his court and ordered his son paid from county funds. [Violation of Canon 2A and 3C(4) of the Texas Code of Judicial Conduct] *Public Admonition of Don L. Jarvis, County Court at Law Judge (10/22/99)*

The judge became romantically involved with a married woman who had matters pending in the judge's court. [Violation of Canons 2B and 4A.] *Public Reprimand of John Polanco, Jr., Former Justice of the Peace (10/25/99)*

The judge assessed fines in water district ordinance cases after the statute authorizing such penalties had been repealed, and wrongly held hearings on an "instanter" basis. [Violation of Canon 2A of the Texas Code of Judicial Conduct] *Public Admonition and Order of Additional Education of Jeffrey R. Driver, Municipal Court Judge (12/17/99)*

The judge appointed his long-time friend and former bailiff as a member, and as the foreman, of the grand jury. The judge also appointed a second grand jury without discharging the first grand jury. [Violation of Canons 2A and 3C(4) of the Texas Code of Judicial Conduct] *Public Reprimand of Alex R. Gonzalez, Retired District Court Judge (12/17/99)*

The judge required membership in a particular voluntary organization, i.e., the Houston Bar Association, as a prerequisite for judicial appointments. Additionally, the judge had an impermissible *ex parte* conversation with a defendant regarding the merits of the defendant's criminal case. Following the *ex parte* conversation, the judge announced from the bench that he desired to revise the sentence that he had imposed moments

before. [Violation of Canons 2A, 2B, 3B(8) and 3C(4) of the Texas Code of Judicial Conduct] *Public Admonition of Jim Wallace, District Court Judge (01/14/00)*

The judge was under the influence of alcohol when he conducted court proceedings while serving as a visiting judge. Additionally, the judge failed to appear in court for a scheduled jury trial. Court personnel later located the judge in his hotel room, apparently under the influence of alcohol or medication. [Violation of Article V, Section 1-a(6)A of the Texas Constitution] *Public Reprimand of J.E. Blackburn, Former Judge (12/17/99)*

The judge made offensive racial statements to city policemen in the presence of citizens, and conveyed that he had the power to influence other judges in advancing the private interests of his grandson who had been issued a traffic citation. [Violation of Canons 2A, 2B, 3B(4) and 4A of the Texas Code of Judicial Conduct] *Public Reprimand of Charles Huegler, Retired Justice of the Peace (01/25/00)*

Without a hearing or notice to the prosecutor, the judge unilaterally changed a bond that was set by another magistrate. The judge changed the bond as a personal favor to the defendant's brother, who was a long-time, personal acquaintance of the judge. Additionally, the judge voluntarily appeared as a character witness at a sentencing hearing on behalf of a criminal defendant. [Violation of Canons 2A, 2B, 3B(2) and 3B(8) of the Texas Code of Judicial Conduct] *Public Reprimand of Ramiro V. Quintero, Justice of the Peace (01/25/00)*

The judge subjected an employee to "unwelcomed, illegal sexual harassment" which included "degrading conduct which was made a definite condition of . . . continued employment." The judge engaged in a "game" in which the judge would bind the employee's hands behind her back, tie her ankles, and gag her with a scarf. While the employee was bound and gagged, the judge would watch scenes from his personal collection of "bondage" videos. [Violation of Article V, Section 1-a(6)A of the Texas Constitution] *Public Reprimand of Robert E. Hollman, Former Title IV-D Master (04/26/00)*

During court hours, the judge kissed an employee under his supervision, an action which was uninvited and unwelcomed. Additionally, the judge made gender-biased comments to a staff attorney employed by the court. [Violation of Canons 3B(4) and 3B(6) of the Texas Code of Judicial Conduct] *Public Warning and Order of Education of Roby Hadden, Appellate Justice (04/26/00)*

In the course of conducting an inquest, the judge moved the deceased's purse and examined its contents prior to the completion of an investigation by law enforcement officials. The judge left the scene and later returned to search for the deceased's jewelry. The deceased was a good friend of the judge. Further, when the judge learned that the deceased's niece had filed a complaint against the judge with the State Commission on Judicial Conduct regarding the judge's actions at the inquest, the judge telephoned the niece and chastised her for filing the complaint. [Violation of Canons 2A and 3B(4) of the Texas Code of Judicial Conduct] *Public Admonition of Polly Kite, Justice of the Peace (06/28/00)*

The judge ordered a mother to ensure that her daughter complied with court-ordered community service. When the daughter did not comply, the judge acted without legal authority by: (1) issuing an arrest warrant against the mother based on a legally defective

affidavit/complaint; (2) requiring the mother to obtain a cash-only bond to the exclusion of a surety bond; (3) failing to conduct an indigency hearing before committing the mother to jail to pay off the fine he had imposed against her; (4) failing to offer the mother the options of paying the fine in installments or performing community service in lieu of jail; and (5) ordering the mother to be confined in jail for her “disrespect” rather than finding her in contempt of court. [Violation of Canons 2A, 3B(2) and 3B(4) of the Texas Code of Judicial Conduct] *Public Order of Additional Education of Thurman Bartie, Justice of the Peace (06/28/02)*

The judge disassembled and reassembled two revolvers during voir dire in a capital murder case. Additionally, the judge allowed bailiffs to read magazines during court proceedings, jeopardizing the court’s security and placing persons in the courtroom at risk. Further, the judge distributed cards that contained the seal of the State of Texas, described the judge as “Judge H. Lon Harper,” and stated that the judge is a “State District Judge Sitting by Assignment” and is a “State Qualified Mediator.” [Violation of Canons 2B, 3B(3) and 3B(4) of the Texas Code of Judicial Conduct] *Public Reprimand of H. Lon Harper, Former District Court Judge (06/28/00)*

The judge allowed his name, judicial position, likeness, and supportive statements to be used in a political advertisement for a candidate’s re-election campaign. [Violation of Canons 2B and 5(3) of the Texas Code of Judicial Conduct] *Public Admonition of Tony Torres, Justice of the Peace (08/16/00)*

The judge telephoned juvenile girls who were on probation in his court for truancy and engaged in explicit sexual conversations. Additionally, the judge pled no contest to the charge of official oppression. [Violation of Canons 2A, 2B and 3B(4) of the Texas Code of Judicial Conduct] *Public Reprimand of Marvin Dean Mitchell, Former Justice of the Peace (08/18/00)*

The judge ordered a traffic defendant, who had damaged the judge’s car in an auto accident, to pay restitution directly to the judge. The judge, as the injured party, should have known she was disqualified to hear the matter. The judge assumed the defendant’s guilt and assessed the defendant’s punishment and fine, even though the defendant had not entered a plea. The judge acted in a discourteous and intemperate manner during the proceedings. The judge assessed punishment and fines, and ordered the defendant to pay restitution directly to the judge without providing the defendant with the full range of options available to the defendant. [Violation of Canons 2A, 2B, 3B(1), 3B(4) and 3B(5) of the Texas Code of Judicial Conduct] *Public Reprimand of Nancy Robb, Municipal Court Judge (08/21/00)*

The judge failed to comply with the reporting requirements of the Texas Election Code, Sections 254.0611, 254.063, 254.064, and 254.093. [Violation of Canon 2A of the Texas Code of Judicial Conduct] *Public Warning of Annette Galik, District Court Judge (08/21/00)*

In a contested custody case, the judge exceeded the legitimate powers of her office by conducting hearings and entering orders without according interested parties and their attorneys the right to be heard. The judge’s actions, particularly in connection with the arrest and interrogation of a 76-year-old non-party witness constituted willful violations of the law and cast doubt on her impartiality and ability to properly administer justice.

[Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canons 2A, 3B(4), 3B(5) and 3B(8).] *Public Reprimand of Annette Galik, District Judge (09/19/00)*

The judge failed to obtain the required judicial education as a municipal judge during fiscal year 1999, although he obtained the required judicial education as a justice of the peace during that fiscal year. The judge admitted he had never complied with the Rules of Judicial Education as a municipal judge since his appointment in 1993. The judge employed a scheme whereby he resigned as a municipal judge every year and was later reappointed to the same position in an effort to avoid the requirement that he obtain the required judicial education for municipal judges. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canons 2A and 3B(2).] *Public Warning and Order of Additional Education of Joe Chandler, Justice of the Peace and Municipal Judge (10/34/00)*

The judge engaged in improper *ex parte* communications about a pending judicial proceeding. The judge's continued and unjustified failure to close a traffic defendant's case after she represented she would do so, resulting in that defendant's detention three years later, constituted willful and persistent misconduct. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canon 6C(2).] *Public Admonition of Joyce Weems, Justice of the Peace (12/19/00)*

The judge assisted the Bexar County Sheriff's Department and the Bexar County Juvenile Probation Office in a law enforcement operation by actively participating in an attempt to execute an arrest warrant on a person who had allegedly violated his probation. The judge assisted law enforcement officers as a "backup," with weapon drawn, and wearing a bulletproof vest. The judge also engaged in inappropriate political activity when he used his county computer to send e-mails seeking support for a presidential candidate. Finally, the judge's private meeting with a female probationer was imprudent, and at a minimum, created an appearance of impropriety that compromised the public's confidence in the integrity and impartiality of the judiciary. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canons 2A, 2B, 3B(5), 4A(1) and 4A(2), and 5(3).] *Public Admonition of Sam Katz, District Judge (12/19/00)*

The judge commanded, without notice or explanation, an attorney's presence in court for the sole purpose of interrogating and lecturing the lawyer about her out-of-court remarks concerning his ability to be fair and impartial toward her client. The record of their courtroom encounter indicated that the judge's interrogation of the lawyer was not patient, dignified or courteous. Finally, the evidence showed that the judge's principal motivation in summoning the lawyer to his court was the fear of public criticism and the need to exert his power as a judge over the attorney by means of intimidation and fear. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canons 2A, 3B(2), and 3B(4).] *Public Admonition of Sam Katz, District Judge (12/19/00)*

The judge's failure to close a traffic defendant's case, which resulted in that defendant's detention more than two years after he had paid his fine, constituted willful and persistent conduct clearly inconsistent with the proper performance of her judicial duties and indicated the judge lacked professional competence to perform her judicial responsibilities. [Violation of Article V, Section 1-a(6)A, Texas Constitution.] *Public Admonition of Joyce Weems, Justice of the Peace (12/19/00)*

The judge's failure to observe the highest standards of conduct in his dealings with a power company and the resultant media attention surrounding the judge's burning of utility poles located on the judge's property, which resulted in criminal charges being filed against the judge, severely compromised and undermined the public's confidence in the integrity of the judiciary. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canon 2A.] *Public Admonition of Terry Canales, District Judge (12/19/00)*

The judge's campaign literature contained false and misleading information, including pledges and promises that would suggest to a reasonable person the judge's probable decision on a particular case. The judge's use of photographs of prominent Republican politicians in his campaign literature, without their express permission, was misleading to voters because of the inference that these individuals had endorsed the judge's candidacy in the Republican Primary. Additionally, the judge's use of the photograph of then-Governor Bush, who was a candidate for President of the United States at the time, may have also led voters to believe that the judge was endorsing the Governor's presidential candidacy. Finally, the judge failed to take the necessary steps to guard against the publication of misleading and unethical campaign literature. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canons 2A, 2B, 5(1), 5(2)(i), 5(2)(ii), and 5(3).] *Public Warning of Tom Price, Court of Criminal Appeals Judge (01/25/01)*

The judge attempted to use the prestige of his office to escape the consequences of being charged with driving while intoxicated. The judge repeatedly tried to dissuade the arresting officer from making the arrest because of the negative effect it would have on him as a judge. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canon 2B.] *Public Admonition of Frederick Edwards, District Judge (04/12/01)*

The judge engaged in an improper *ex parte* communication, accepted a defendant's guilty plea without waiting for the defendant's attorney to appear, and adjudicated a criminal matter for which there was no formal case pending and no criminal information issued. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canons 2A and 3B(8).] *Public Admonition of Rodolfo Delgado, County Court at Law Judge (04/12/01)*

The judge improperly held dual employment as a justice of the peace and a law enforcement officer in neighboring counties, which created an appearance of impropriety, bias, prejudice, and partiality in the handling of criminal cases, and would give the appearance that the judge's fellow law enforcement officers were in a special position to influence the judge's decisions. A public statement was issued, but the judge continued to hold both positions until suspended from judicial office by the Texas Supreme Court. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canons 2A, 4A(1), and 4D(1).] *Public Reprimand of Randy Ellisor, Justice of the Peace (04/21/01)*

The judge failed to resign upon becoming a candidate in a contested election for a non-judicial office. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canon 5(4).] *Public Admonition of Darrell Clements, Associate Judge (04/21/01)*

Judge Ray called another judge on behalf of Judge Ray's daughter and her friend in an effort to influence that judge's decision and to obtain favorable treatment. Judge Ray's contact constituted an improper *ex parte* communication. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canons 2B and 6C(2).] *Public Admonition of Linda Ray, Justice of the Peace (05/25/01)*

The judge abused his authority by illegally ordering the detention of a Mexican national and her 7-year-old child in a holding cell for the purpose of shocking the detainees into following the law requiring children to attend school. The judge also made remarks to the woman that demonstrated a prejudice based on national origin. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canons 2A and 3B(6).] *Public Admonition of Oscar Tullos, Justice of the Peace (05/31/01)*

The judge failed to stop and give information after an accident in which the judge was involved. The judge knew, or should have known, that as a public official and member of the judiciary, his arrest for driving while intoxicated and his failure to stop and give information would severely compromise the public's confidence in the integrity of the judiciary. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canon 2A.] *Public Warning and Order of Additional Education of Robert Burdette, Senior District Judge (05/31/01)*

The judge operated a motor vehicle while impaired by alcohol, thereby violating the law. The judge was arrested for Driving While Intoxicated (DWI), which further compromised the public's confidence in the integrity of the judiciary. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canon 2A.] *Public Reprimand and Order of Additional Education of Jaime Garza, County Court at Law Judge (05/31/01)*

The judge did not comply with the law and did not maintain professional competence in the law by failing to obtain the mandatory judicial education required of a municipal court judge. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canons 2A, 3B(2), and Rule 4(a)(1) of the Texas Rules of Judicial Education.] *Public Warning of Gina Benavides, Municipal Judge (06/01/01)*

The judge, by writing a letter of support to another judge on behalf of a criminal defendant, lent the prestige of his judicial office to advance the private interests of the defendant and her family. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canon 2B.] *Public Admonition of Eliseo B. Vega, Municipal Judge (06/20/01)*

The judge retained a friend to represent him for a nominal fee in contested probate case involving the judge's late mother's estate. While that case was pending, the judge appointed the friend as *ad litem* in a lucrative, private-pay custody case pending in the judge's court without disclosing their attorney-client relationship to the parties and their counsel. Within 2 months of the appointment, the *ad litem* charged the litigants more than \$72,000 in fees and costs that the judge approved as reasonable and necessary despite compelling evidence to contrary. The attorney fees charged in the probate case were significantly less than the fair market value of the work performed, while the attorney fees charged by and paid to the *ad litem* in the custody case significantly exceeded the fair market value of the work performed. The attorney's time records in both cases were inaccurate and inconsistent. In mediation, the *ad litem* told the litigants and their counsel that he had influence with the judge and would receive favorable rulings because of his relationship with the judge. Court records in that custody case showed that the *ad litem* consistently received favorable rulings from the judge. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canons 2A, 2B, 3B(5), 3B(8), 3C(4) and 4D(4).] *Public Reprimand of Craig Fowler, District Judge (06/29/01)*

In several truancy cases, the judge improperly exercised his contempt authority by failing to provide proper notice to all interested parties of the time and location of contempt hearings, and by failing to afford incarcerated adult students an opportunity to obtain counsel prior to the contempt hearings. [Violation of Canon 2A.] *Public Admonition of Joel Clouser, Justice of the Peace (08/20/01)*

The judge repeatedly failed to timely file semiannual financial disclosure reports as well as thirty-day and eight-day before election reports. The judge failed to comply with mandatory reporting requirements of the Election Code. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canons 2A and 4I(2).] *Public Reprimand of Thomas Jones, Justice of the Peace (08/20/01)*

The judge was publicly intoxicated or otherwise impaired and engaged in conduct that resulted in his arrest for disorderly conduct. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canon 2A.] *Public Warning of Roberto Vargas, Municipal Judge (08/20/01)*

During a high-profile criminal trial, the judge expressed disgust, disbelief, and disapproval of the defendant and bias in favor of the prosecution through nonverbal facial expressions and body movements. Observers saw the judge rolling his eyes, smirking, frowning in disapproval, shaking his head, yawning in boredom and sighing in an exaggerated manner throughout the trial, especially when the defense was presenting its case. The judge was observed shaking his head and mouthing the word "unbelievable" as defense counsel cross-examined the young victim in the case. One witness stated that the judge's "theatrical performance" caused a "carnival atmosphere." At one point, the jury had to leave the court room as the judge and a defense attorney engaged in a heated exchange, where the judge lost his temper and screamed at the attorney. [Violation of Canons 3B(3), 3B(4), and 3B(5).] *Public Warning of Raymond Angelini, District Judge (12/17/01)*

While presiding over several truancy cases, the judge improperly exercised his contempt authority against the parents by failing to provide the alleged contemnors with proper notification of the accusations against them through a show cause order or equivalent legal process. The judge also failed to advise the parents at the contempt hearing of their

right to counsel before finding them in contempt and ordering their confinement in jail. [Violation of Canons 2A and 3B(2).] *Public Admonition and Order of Additional Education of Lonnie Jim Dulin, Justice of the Peace (12/17/01)*

A bumper sticker endorsing a gubernatorial candidate was affixed to a vehicle bearing the judge's official State Judge license plates. Although additional information was requested from the judge, she chose not to provide the Commission with any information surrounding the appearance of the bumper sticker on her car. The judge was found to have lent the prestige of her judicial office to the candidate by allowing the endorsement to remain affixed to her vehicle for an indefinite period of time. [Violation of Canon 2B.] *Public Admonition of Nelda Rodriguez, Appellate Judge (02/15/02)*

The judge summoned several young women before her on charges of disorderly conduct when no criminal complaint had been filed and no case was pending in the judge's court. The judge failed to advise them of their constitutional right to counsel and a jury trial. The judge improperly acted as a mediator between the parties. Additionally, the judge lent the prestige of her judicial office to advance the private interests of a friend by writing a "to whom it may concern" or "blind" letter of recommendation on official judicial letterhead, which the friend, who was also running for sheriff, published in a local newspaper as a public endorsement of his candidacy. The judge's testimony before the Commission regarding the letter of recommendation was less than candid. [Violation of Canons 2A, 2B and 5(3).] *Public Admonition of Mona D. L. Velasquez, Justice of the Peace (02/15/02)*

During a truancy hearing and without legal authority to do so, the judge ordered a foster parent to paddle his foster child in the courtroom with a paddle obtained from the judge's chambers by a deputy constable. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canons 2A and 3B(3).] *Public Reprimand of John Robert Kleimann, Justice of the Peace (03/01/02)*

By frequently sleeping while presiding over court proceedings, including while a witness testified before a jury, the judge failed to maintain order and decorum in the courtroom, and eroded the public's confidence in the judiciary. [Violation of Canon 3B(3).] *Public Admonition of John Robert Kleimann, Justice of the Peace (03/01/02)*

A Parks and Wildlife Department game warden made several inquiries of the judge's staff regarding alcohol-related citations he had issued. When the warden arrived at the judge's office, the judge caused him to be escorted into the courtroom, where the judge persisted in using the term "bird and turtle" in reference to the warden's work, even though the warden had informed the judge that such term was insulting. A witness stated that the judge's temper "flared," and confirmed that the warden believed he was not free to leave the courtroom while the judge was speaking to him. In another incident, a funeral home director made several efforts to secure a signed death certificate. The judge allowed his staff to improperly influence his conduct towards the funeral home director, causing the judge to unreasonably and purposefully delay signing the death certificate and to treat the director discourteously. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canons 2A, 2B, and 3B(4).] *Public Admonition of George Boyett, Justice of the Peace (06/05/02)*

The judge exceeded and misused his authority by pursuing various grievances and criminal charges against the District Attorney, several Texas Rangers, and the

Department of Public Safety (DPS), due to their involvement in the investigation and prosecution of a high-profile aggravated kidnapping case pending in the judge's court. The judge used his office and official letterhead to initiate investigations and to focus public attention, through the media and the Legislature, on alleged problems within the District Attorney's office and with the Texas Rangers and DPS. [Violation of Canons 2B, 4A(1), 4A(2).] *Public Warning of Jay Gibson, District Judge (06/05/02)*

While participating in a parade with a Little League baseball team that he coached, the judge was squirted with water by a young player from another team. The judge chased after and grabbed the child, took his water pistol, placed him in a headlock, pulled his head back by his hair, and squirted the child in the face with the water gun. The child was taken to the hospital and treated for a slight abrasion on his neck, a small laceration on his tongue, and a small bruise on his thumb. Law enforcement officials investigated the matter, but closed the case without filing criminal charges at the request of the child's parents. The incident generated local media attention. [Violation of Article V, Section 1-a(6)A, Texas Constitution.] *Public Admonition of Delwin McGee, County Court at Law Judge (06/05/02)*

The judge's dealings with a prospective juror who brought her young child to court lacked the patience, dignity and courtesy required of a judicial official. [Violation of Canon 3B(4).] *Public Admonition of Patricia Ott, Justice of the Peace (06/21/02)*

The judge awarded a disproportionate number of appointments to one attorney during the time that attorney was running for public office, resulting in the payment of an inordinate amount of fees to the attorney. The judge failed to exercise his power of appointment impartially and showed favoritism toward this attorney, a former prosecutor in the judge's court, and that attorney's associates. The judge also failed to follow an established county practice when he removed all new family law and juvenile cases from the statutory county court. The judge used his position as local administrative judge to effectively manipulate the system to afford certain family law practitioners a more favorable forum for their clients' cases. [Violation of Canons 2B and 3C(4).] *Public Warning of Don Emerson, District Judge (06/28/02)*

The judge felt a new Assistant District Attorney had tried to circumvent the judge's order in a pending criminal case. As a result, the judge told the prosecutor that her conduct was "sneaky, surreptitious and deliberately calculated to undermine" him. The judge made similar comments in a letter to the District Attorney. The judge then gave the media copies of his letter and transcripts from hearings in the case, generating extensive media coverage of the judge's dispute with the prosecutor and the District Attorney. In response to the District Attorney's criticism, the judge wrote another letter, stating that the prosecutor had acted with "gross misconduct" and that she likely had the "compassion of an Auschwitz camp guard." The judge used Biblical references to buttress profane comments he directed at the District Attorney. Following an appeal of the Public Reprimand issued against the judge by the Commission, a Special Court of Appeal found that the judge lacked the patience, dignity or courtesy required of a judicial officer. The Court stated that the judge's very public treatment of the newly-licensed prosecutor contradicted the historic role of the judiciary in mentoring new lawyers and fostering high ethical standards. The judge was found to have cast public discredit on the judiciary and reasonable doubt on his capacity to fairly judge future criminal cases brought before his court. [Violation of Article V, Section 1-a(6)A, Texas Constitution,

and Canons 3B(4), 4A(1) and 4A(2).] *Special Court of Review's Public Reprimand and Order of Additional Education of Rick Davis, District Judge (07/02/02)*

While a patron at a local bar, the judge initiated a physical confrontation with another customer resulting in a criminal charge being filed against the judge for disorderly conduct, to which he entered a plea of no contest. The judge, who had consumed 4-6 beers in the hours preceding the incident, left the scene immediately after being told that the police had been called. The judge's conduct at the bar and the resulting criminal charge received local media coverage. [Violation of Article V, Section 1-a(6)A, Texas Constitution.] *Public Admonition of James Keeshan, District Judge (09/03/02)*

The judge engaged in improper extra-judicial conduct in a number of instances, including being placed on probation for three months in 1977 for DWI, being convicted in 1984 for a federal offense of transporting illegal aliens, and violating federal game and wildlife laws in 1993. The judge also engaged in improper judicial conduct, including improperly magistrating his brother and releasing him on a personal bond, and releasing certain defendants charged with aggravated felony offenses on personal bonds, in violation of the law. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canons 2A, 2B, 3B(2), 3B(5) and 4A.] *Public Censure and Order of Additional Education of Francis John Truchard, Justice of the Peace (10/11/02)*

The judge failed to obtain mandatory judicial education hours as required by Rule 4(a)(1) of the Texas Rules of Judicial Education. [Violation of Canons 2A and 3B(2).] *Public Admonition of Diana Rodriquez, Justice of the Peace (10/23/02)*

The judge failed to obtain mandatory judicial education hours as required by Rule 4(a)(1) of the Texas Rules of Judicial Education. [Violation of Canons 2A and 3B(2).] *Public Admonition of Elihu Dodier, Municipal Judge (10/23/02)*

The judge failed to comply with law by issuing a court order without authority in a matter over which his court had no jurisdiction. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canon 2A.] *Public Reprimand of Bennie Ochoa, III, Justice of the Peace (12/17/02)*

The judge issued an invalid arrest warrant for a non-existent offense of "False Accusations" and used local police to place a person in custody after the judge was informed that there was no such criminal offense. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canon 2A.] *Public Reprimand of Bennie Ochoa, III, Justice of the Peace (12/17/02)*

The judge lent the prestige of his office by displaying on his office door a poster that stated in bold letters, "Re-Elect '98," and that contained caricatures and names of several persons who were either holding and/or running for elective office in the judge's county. [Violation of Canon 2B.] *Public Admonition of Bennie Ochoa, III, Justice of the Peace (12/17/02)*

The judge held a formal press conference in his courtroom while wearing his judicial robe, publicly criticizing an attorney for allegedly engaging in misconduct in a high-profile case pending in another judge's court. The press conference was held during a period of intense media attention directed at the other judge, who had recused himself from the high profile case amid allegations of criminal conduct. After his press

conference, the judge sent an e-mail to numerous friends, family and colleagues, in an attempt to explain his decision to hold the press conference. Following a public trial before a special master, the judge was found to have engaged in willful misconduct by allowing a relationship to influence his conduct and judgment and by lending the prestige of judicial office to promote the private interests of the judge and others. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canon 2B.] *Public Censure of Robert Jenevein, Former County Court at Law Judge (01/17/03)*

The judge failed to obtain the required hours of mandatory judicial education for fiscal year 2002, as required by Rule 4(a)(1) of the Texas Rules of Judicial Education. [Violation of Canons 2A and 3B(2).] *Public Reprimand of Kathryn Gabbert, Justice of the Peace (05/07/03)*

The judge allowed his small claims court to be used as a collection agency for a party who had been issued a civil judgment by the judge. The judge also improperly handled the conversion of a criminal complaint into a civil lawsuit, failed to properly notify the parties of this action, and entered a judgment that included a "Payment Agreement," which ordered a civil litigant to pay her judgment debt through the judge's office. [Violation of Canons 2A and 3B(2).] *Public Warning and Order of Additional Education of Oscar Tullos, Justice of the Peace (06/27/03)*

The judge telephoned another judge on behalf of a county official's daughter regarding a traffic citation the daughter had received and attempted to obtain favorable treatment for the defendant in the case pending in the other judge's court. [Violation of Canon 2B.] *Public Warning of Jose Canales, Justice of the Peace (06/27/03)*

The judge converted \$40.00 of county funds for his own personal use to pay a lawn mowing service. After the auditor alerted the judge that his action was improper, the judge repaid the funds. In addition, the judge frequently discussed pending judicial matters, including his intended rulings, in public. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canon 2A and 3B(10).] *Public Reprimand of Steven B. Duke, Justice of the Peace (06/27/03)*

The judge violated the law by issuing an arrest warrant and magistrating a defendant in a matter in which the judge was the victim. The judge failed to follow proper procedures and demonstrated a lack of professional competence in the law. [Violation of Canons 2A and 3B(2).] *Public Admonition of Alberto Martinez, Municipal Judge (06/27/03)*

The judge, a candidate for re-election, was subject to the Judicial Campaign Fairness Act when he knowingly failed to timely file numerous campaign finance reports required by law. The judge was fined \$20,500 by the Texas Ethics Commission. [Violation of Canons 2A, 4I(2) and 5(4).] *Public Warning of Paul Womack, Court of Criminal Appeals Judge (07/07/03)*

The judge persistently failed to maintain and monitor his court docket and properly account for and deposit monies collected by his court. The judge failed to timely file with the Office of Court Administration the monthly activity reports for his court as required by law. [Violation of Article V, Section 1-a(6)A, Texas Constitution, and Canon 2A.] *Public Admonition and Order of Additional Education of Juan Jasso, Justice of the Peace (08/25/03)*

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